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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ **W.P.(C) 16993/2025, CM APPL. 69867/2025**

MS SANDEEP BEANBAG THROUGH ITS PROPRIETOR AHIYARAN SINGH .....Petitioner

Through: Mr. Ankit Sareen, Ms. Shradha Agarwal & Mr. Aryan Singh Chouhan, Advs.

versus

SALES TAX OFFICER CLASS I I/AVATI WARD 92 .....Respondent

Through: Ms. Vaishali Gupta, Adv. (Panel Counsel Civil) GNCTD

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE SHAIL JAIN

O R D E R

% 10.11.2025

1. This hearing has been done through hybrid mode.

CM APPL. 69868/2025 (for exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

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3. The Petitioner challenges the retrospective cancellation of its GST Registration in terms of the order of cancellation dated 7th May, 2024, whereby the said cancellation has been given effect from 1st July, 2017.

4. The case of the Petitioner is that a show cause notice was issued on 5th April, 2024 calling upon the Petitioner as to why the GST Registration should not be cancelled. The ground taken for the cancellation of the GST Registration was that the Petitioner had not filed its GST returns. However, the said show cause notice did not state that the cancellation would be given retrospective effect.

5. The Petitioner had closed its business in August 2023 and had

thereafter, not filed any returns. For the same reason, the Petitioner had failed to file any reply to the said show cause notice. Thereafter, on 7th May, 2024, the GST Registration was cancelled with retrospective effect from 01st July, 2017, i.e., the date of the Petitioner's GST registration.

6. Ld. Counsel for the Petitioner submits that since the Petitioner had closed its business, the Petitioner had not taken a look at the GST portal and hence, the reply to the show cause notice dated 05th April, 2024 could not be filed.

7. Be that as it may, retrospective cancellation would also not be permissible. The settled legal position is that if the SCN did not contemplate retrospective cancellation, the order cannot retrospectively cancel the registration of the Petitioner. This is clear from the decision of this Court in ***W.P.(C) 3492/2025*** titled ***Akash Bansal (Proprietor M/s Shri Prem Ji Traders) v. Superintendent Range – 109 Central Goods and Services Tax Department, Delhi West, Division-Rohini.***

8. Accordingly, in the facts of the present case, the GST Registration shall remain cancelled, however, the same shall be given effect from the date of the show cause notice *i.e.* 5th April, 2024.

9. Let the modification to this effect be reflected on the GST portal of the Petitioner within 2 weeks.

10. The petition is disposed of in these terms. All pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J.

SHAIL JAIN, J.

NOVEMBER 10, 2025/*pd/ss*